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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSEPH JEROME WILBUR, a Washington resident; JEREMIAH RAY MOON, a Washington resident; and ANGELA MARIE MONTAGUE, a Washington resident, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

CITY OF MOUNT VERNON, a Washington municipal corporation; and CITY OF BURLINGTON, a Washington municipal corporation,

Defendants.

7 No. 2:11-cv-01100-RSL
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STIPULATED PROTECTIVE ORDER

16 **I. STIPULATION**

- 17 1. This is a lawsuit for declaratory and injunctive relief.
18 2. Plaintiffs have served a subpoena on Mountain Law, PLLC, a third-party law firm currently providing public defense services to the Defendant Cities.
19 3. The subpoena seeks certain records related to Mountain Law's bid for public defense service contracts with the Cities, including Mountain Law's notes and financial cost calculations in preparation of the bid proposal. Some of the data and information requested is sensitive business-related data and potentially confidential and proprietary information belonging to Mountain Law ("Confidential Documents").
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4. A Protective Order will minimize the potential harm and provide for the most rapid and efficient disclosure of Confidential Documents. The parties therefore agree that the Court should issue an Order as outlined below.

II. ORDER

1. Confidential Documents include all documents and electronic data and/or correspondence released by Mountain Law pursuant to Fed. R. Civ. P. 45, in any medium, after the date of entry of this Order and marked as Confidential by Mountain Law.

2. Confidential Documents shall not be disclosed or made available to any person or entity, except as provided herein, and under no circumstances shall they be used for purposes outside of the litigation between the parties identified in the above-cause. Confidential Documents shall be disclosed *only* to counsel of record for the parties; their office staff (i.e., legal assistants and paralegals), to the extent necessary to assist in preparation of the case; and litigation consultants, to the extent necessary to assist in preparation of the case. Confidential Documents may also be disclosed to current and former representatives of the Cities during depositions, though the deposition exhibits and related transcript portions shall be subject to this Order.

3. Before Confidential Documents are used in motions or at trial, the party using the Confidential Documents will either redact all confidential information or provide Mountain Law with 10 days of notice so that Mountain Law may object to the use of the Confidential Documents and seek appropriate protection from the Court.

4. If a party files or submits Confidential Documents with the Court in redacted form, Mountain Law shall have 10 days to file and serve a motion to have those Confidential Documents sealed in whole or in part. If Mountain Law fails to file and serve such a motion, the party that filed or submitted the Confidential Documents shall have the right to re-file or re-submit those documents without redaction.

5. If a party provides Mountain Law with 10 days of notice before using Confidential Documents in motions or at trial, Mountain Law shall have 10 days to file and serve a motion to have those Confidential Documents sealed in whole or in part. If Mountain Law fails to file and serve such a motion, the party that gave notice shall have the right to file or submit the Confidential Documents with the Court without redaction.

6. This Order may be modified or revoked only by subsequent Court Order. Its terms shall survive any settlement, discontinuance, dismissal, severance, or other disposition of this litigation and the Court shall retain jurisdiction to enforce them.

Dated this 27th day of August, 2012.

Mrs Casnik

**Robert S. Lasnik
United States District Judge**